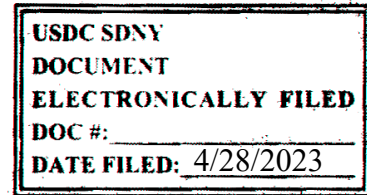


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



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**EMERGENCY PHYSICIAN SERVICES
OF NEW YORK, et al.,**

Plaintiffs,

20-CV-09183 (JGK)(SN)

-against-

ORDER

UNITEDHEALTH GROUP, INC., et al.,

Defendants.

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SARAH NETBURN, United States Magistrate Judge:

Defendants request the Court to compel Plaintiffs to produce documents showing (1) that Blackstone is entitled to receive Plaintiffs' profits, (2) Plaintiffs' decision to select Defendants as the third-party administrator of their health benefit plan, and (3) performance metrics relevant to the value of Plaintiffs' services. ECF No. 409. Plaintiffs oppose the motion. ECF No. 417.

The Court denies Defendants' request for documents showing Blackstone receives any portion of Provider Plaintiffs' profits. This case is not about Blackstone, and information related to its profit seeking motivation is not relevant to the issues, claims, or defenses in this case. To the extent Defendants seek further information on Blackstone's relationship with Plaintiffs, they have already exhausted discovery on this issue.

The Court denies Defendants' request for documents related to TeamHealth Plaintiffs' decision to select Defendants as the third-party administrator of their employee health benefit plan. Any discovery related to a decision Plaintiffs made over 20 years ago is not proportional to the needs of the case and has no bearing as to how either party established doctors' rates during the relevant period. The Court further understands that EquityHealthcare intends to produce

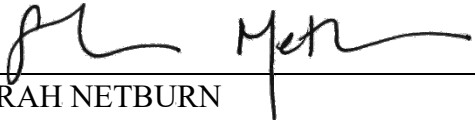
documents related to TeamHealth's 2020 decision to terminate United as its administrator. No further relief is warranted.

The Court denies Defendants' request for documents showing the performance metrics of physicians. Defendants have failed to establish that performance metrics and quality analyses maintained by medical facilities is material to the core question in this case related to reasonable reimbursement rates. Moreover, Plaintiffs have already produced 57 performance dashboard reports for 11 of the facilities relevant to this action. ECF No. 417 at 3. Any further discovery on this topic is not proportional to the needs of the case.

CONCLUSION

Defendants' requests for relief are DENIED. The Clerk of Court is respectfully requested to terminate the motion at ECF No. 410.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

DATED: April 28, 2023
New York, New York